

before raising an appointments clause issue with the District Court. Cirko, 948 F. 3d at 152, 155. Pursuant to Lucia and Cirko, the Court concludes that Plaintiff is entitled to have her claim adjudicated by a constitutionally appointed ALJ other than the ALJ who presided over the first hearing. See id. at 159-60; Bauer v. Saul, No. 19-2563, 2020 U.S. Dist. LEXIS 72011, at *4 (E.D. Pa. Apr. 23, 2020). I need not address the remainder of Plaintiff's contentions, as the hearing on remand will be conducted de novo. See, e.g., Bauer, 2020 U.S. Dist. LEXIS 72011, at *4.

Therefore, Plaintiff's Motion to Lift Stay is GRANTED. Plaintiff's Motion for Summary Judgment is likewise GRANTED, and Defendant's DENIED. This matter is remanded for a new hearing before a constitutionally appointed ALJ other than ALJ Bareford. AND NOW, this 28th day of May, 2020, IT IS SO ORDERED.

BY THE COURT:



Donetta W. Ambrose
Senior Judge, U.S. District Court